

STANDING CHAPTER 13 TRUSTEE ALEJANDRO OLIVERAS RIVERA
REPORT OF ACTION TAKEN
MEETING OF CREDITORS

In re:

REYNALDO VALENTIN RIOS

Case No. 09-04925-BKT

DARMY L ALMODOVAR VELAZQUEZ

Chapter 13

Attorney Name: HECTOR VELAZQUEZ HERNANDEZ*

I. Appearances

Debtor ☒ Present ☐ Absent
 Joint Debtor ☒ Present ☐ Absent
 Attorney for Debtor ☒ Present ☐ Absent
☐ Pro-se
☐ Substitute _____

Date: July 27, 2009

Time: 10:28 AM Track: 004
☐ This is debtor(s) ☒ Bankruptcy filing.

Liquidation Value: _____

Creditors

Ceds Francisco Cardona - Rtg Mork
Ceds Mendez Lucell - Raul Texeira

II. Oath Administered

☒ Yes ☐ No

III. Documents Filed/Provided

☒ Schedules ☐ DSO Recipient's information
☒ Statement of Financial Affairs (SOFA) ☒ State Tax Returns 06-08 ☒ Returned
☒ Statement of Current Monthly Income (SCMI) ☐ Federal Tax Returns _____ ☐ Returned
☒ Credit counseling briefing certificate (CCC) ☒ Evidence of income (60 days prior to petition)
☐ Waiver requested by debtor(s)
☐ DSO Certificate

IV. Status of Meeting ☒ Closed ☐ Not Held ☐ Continued _____ at _____

V. Trustee's Report on Confirmation

☐ FAVORABLE☒ UNFAVORABLE

☐ Feasibility ☐ No DSO certificate (Post-petition)
☒ Insufficiently funded ☐ Evidence of income
☐ Unfair discrimination ☐ Missing ☐ Incomplete
☐ Fails liquidation value test ☐ Stmt. of Current Monthly Income
☒ Fails disposable income test (I & J) ☐ Incomplete ☐ Missing
☐ No provision for secured creditor(s) ☐ Fails commitment period ☐ Fails Disp. Income
 _____ ☐ Certificate of Credit briefing
 _____ ☐ Missing ☐ More than 180 days
☐ Treat value of collateral separately ☐ Issuer not certified by U.S.T.
☐ No provision for insurance ☐ Incomplete schedules
☒ Tax returns missing ☐ Incomplete S.O.F.A.
☒ State - years 2005 (only evidence of its filing) ☐ Other: _____
☐ Federal - years _____

*shown but
w/o stamp.*

STANDING CHAPTER 13 TRUSTEE ALEJANDRO OLIVERAS RIVERA

REPORT OF ACTION TAKEN

MEETING OF CREDITORS

In re:

REYNALDO VALENTIN RIOS

Case No. 09-04925-BKT

DARMY L ALMODOVAR VELAZQUEZ

Chapter 13

Attorney Name: HECTOR VELAZQUEZ HERNANDEZ*

VI. Plan

(Cont.)

Date: June 17, 2009Base \$ 51,000.00☒ Filed

Evidence of Pmt shown:

Payments 0 made out of 1 due.☐ Not FiledUSPS M.O. 2816 - \$500
USPS M.O. 2827 - \$350

VII. Confirmation Hearing Date: September, 10, 2009

VIII. Attorney's fees as per R. 2016(b)

\$3,000.00 - \$ 276.00 = \$ 2,724.00

IX. Documents to be provided w/in ____ days

☒ Amended schedules D → amend fr. Rtg to BPPZ☐ Insurance estimate → B → Cherise Laredo☐ Assumption/Rejection executory contract☐ Amended S.O.F.A. _____☒ Amended plan → step up upon maturity of ret. loan in 3/2013 (\$238 monthly)☐ Business Documents _____☐ Monthly reports for the months _____☒ Appraisal Comparable sale of prop @ Sch A☐ State tax returns years _____☐ Federal tax returns years _____☐ Correct SS # (Form B21)☐ Debtor ☐ Joint debtor☒ Other:① Amend vol. to include prior bankruptcy case.② Provide evidence of July 2009 BPPZ mortgage pymt☐ Public Liability Insurance☐ Premises _____☐ Vehicle(s) _____☐ Licenses issued by: _____☐ M.T.D. to be filed by Trustee: Debtor(s): ☐ failed to appear; ☐ failed to commence payments;☐ failed to keep payments current; ☐ does (do) not qualify as a debtor (§109); _____☐ Other: Trustee will consider docs. submitted by attorney member listed separately

COMMENTS

① Debtors had a prior bankruptcy 08-04672 (filed 7/18/2008)② Trustee will review secured claim by Raul Texeira. Claim is over attachment over their residence on July 9, 2008 (9 days prior to 2008 bankruptcy case). Trustee will consider possible avoidance of said lien.③ Debtor to furnish evidence of secured status of ARIVA (urbanization association)④ Debtors to consider crowdown of 2002 Cherise Laredo.

Trustee/Presiding Officer

Date: July 27, 2009

(Rev.)

⑤ Amend Sch I for debtor's time employment: 19 yrs (he) 10 yrs (she)⑥ Amend SCMI gross income to \$5,985.29. Trustee will then verify line 59 of SCMI. Amend line 16 of SCMI to 3